

Remarks

The Applicant respectfully requests reconsideration of the present U.S. Patent application as amended herein. Claims 1, 5, 10, 14, 20, 22, 24, 27, 29, and 30 have been amended. Claim 4 has been cancelled. No claims have been added or withdrawn in this response.

Claim Rejections - 35 U.S.C. § 102(e)

Claims 1-30 were rejected under 35 U.S.C. § 102(3) as being anticipated by U.S. Patent No. 6,738,472 issued to Mayron. (*Mayron*). Claim 4 has been cancelled and, thus, the rejection of claim 4 is moot. For at least the reasons set forth below, the Applicant submits that claims 1-3 and 5-30 are not anticipated by *Mayron*.

The Manual of Patent Examining Procedure ("MPEP"), in § 2131, states:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 869 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Thus, under 35 U.S.C. § 102, a claim is anticipated *only if* each and every element of the claim is found in the cited reference and the cited reference must show the invention in as complete detail as contained in the claim.

Independent claim 1, as amended, recites:

A network comprising:

a first node having a first point code, and a first switching element to selectively couple the first node to other nodes through one or more communication channels; and

a second node having a second point code, a third point code, and a second switching element to establish a first communication channel with the first node, the second node to identify the first communication channel with an identifier that includes, at least, the first point code and one of the second point code and the third point code.

Thus, claim 1 is directed to a network including a second node having a second point code and a third point code wherein the second node is to “identify the first communication channel with an identifier that includes, at least, the first point code and one of the second point code and the third point code.” Independent claim 10 is similarly directed to a node having a communication channel identifier agent having two or more origination identifiers (e.g., point codes) to identify the node. Independent claims 14 and 20 are method claims directed to methods in which a node has two or more origination identifiers to identify the node. Independent claim 27 is an article claim directed to a node having two or more origination identifiers to identify the node.

Regarding claims 1-3 and 5-30, the Office action directs the Applicant’s attention to column 7, line 1 through column 8, line 67, wherein *Mayron* states that “the present invention allows for various network nodes to have different circuit identification codes for the same trunk.” *Mayron* does not, however, teach or suggest a network node having two or more origination identifiers (e.g., point codes) to identify the node. In fact, *Mayron* expressly teaches away from embodiments of the Applicant’s invention at column 6, lines 49-53, wherein *Mayron* states, “each of network nodes 110, 120, 130, and 140 has a unique point code assigned thereto, which serves as identification thereof.” Thus, for at least the reason that *Mayron* does not disclose a network node having two or

more point codes to identify the node, the Applicant respectfully submits *Mayron* does not anticipate independent claims 1, 10, 14, 20, and 27.

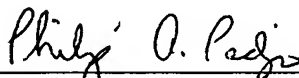
Claims 2-3 and 5-9 depend from claim 1. Claims 11-13 depend from claim 10. claims 15-19 depend from claim 14. Claims 21-26 depend from claim 20. Claims 28-30 depend from claim 27. Because dependent claims include the limitations of the claims from which they depend, the Applicant submits that claims 2-3, 5-9, 11-13, 15-19, 21-26, and 28-30 are not anticipated by *Mayron*.

Conclusion

The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: October 11, 2004


Philip A. Pedigo
Reg. No. 52,107

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(503) 684-6200